

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

ERIC PRUDHOMME, et al., Individually
and on behalf of others similarly situated,

Plaintiffs,

v.

GOVERNMENT EMPLOYEES INSURANCE
COMPANY, et al.,

Defendants.

Civil Action 15-00098

Judge Terry A. Doughty

Magistrate Judge Carol B. Whitehurst

**DEFENDANTS GOVERNMENT EMPLOYEES INSURANCE COMPANY AND GEICO
GENERAL INSURANCE COMPANY’S MOTION FOR LEAVE TO FILE A REPLY
MEMORANDUM IN SUPPORT OF THEIR MOTION TO COMPEL TESTIMONY
FROM DR. JOHNETTE HASSELL**

Defendants Government Employees Insurance Company and GEICO General Insurance Company (“GEICO”) respectfully request leave to file a reply in support of their Motion to Compel Testimony from Dr. Johnette Hassell (Doc. 159) (the “Proposed Reply”). The Proposed Reply is attached as Exhibit 1. As grounds for this Motion, GEICO states:

1. Plaintiffs’ Response misstates the relevance of the information GEICO seeks from Dr. Hassell. The Proposed Reply clarifies this relevance.

2. Plaintiffs’ Response to GEICO’s Motion to Compel Testimony from Dr. Johnette Hassell (Doc. 165) raises a “work product” protection argument not made during the deposition, and misstates the law on the protection. The Proposed Reply addresses this argument.

3. Plaintiffs’ Response misstates facts related to how many times GEICO has deposed Dr. Hassell. The Proposed Reply clarifies the record.

4. Plaintiffs’ Response omits reference to language in the “Agreed Confidentiality Order” in *Slade v. Progressive Security Insurance* regarding how to protect information that was marked confidential. The Proposed Reply discusses this language.

5. Plaintiffs' Response omits discussion of four of the five cases about which GEICO seeks testimony. The Proposed Reply clarifies the record.

6. The Proposed Reply does not simply repeat arguments raised in GEICO's Motion, and it is narrowly tailored to address the arguments raised in Plaintiffs' Response.

7. The Proposed Reply will assist the Court in deciding whether to compel Dr. Hassell to provide additional testimony.

8. Prior to filing this Motion, GEICO's counsel contacted Plaintiffs' counsel to obtain consent for the granting of this Motion, as required by LR 7.4.1. Plaintiffs responded that they do not oppose GEICO's request to file a reply.

For all of these reasons, GEICO respectfully requests that the Court grant GEICO leave to file a Reply, and that the Court consider the arguments presented in the proposed Reply in considering the underlying Motion.

RESPECTFULLY SUBMITTED this 18th day of June, 2020:

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of June, 2020, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a Notice of Electronic Filing to all counsel of record that are registered with the Court's CM/ECF system or by United States Mail, postage prepaid.

s/ Ian M. Fischer

Ian M. Fischer